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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,433	12/10/2003	Edgar Villa	Villa.E-01	2137
22197 7590 12/12/2007 PATENT LAW & VENTURE GROUP 2424 S.E. BRISTOL, SUITE 300 NEWPORT BEACH, CA 92660			EXAMINER BASIT, ABDUL	
			ART UNIT	PAPER NUMBER
			3694	
			MAIL DATE	DELIVERY MODE
			12/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/733,433	Applicant(s) VILLA, EDGAR	
	Examiner Abdul Basit	Art Unit 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/2/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Both claims have part (f) which indicates for Set Zero Balance, which sets the active account balance to zero. This claim language is not clear as to why the account balance needs to be set to zero.

Also, claims 1 and 4 state, "establishing control." This is vague as to what is meant to establish control.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader (US Pat. No. 5,903,881) in view of Lee (WO 01/39057), and in further view of Suzuki (US Pub. No. 2002/0130176).

Regarding claim 1:

Schrader teaches a method for establishing control over financial transactions, the method comprising the steps of: establishing a transaction supporting banking account, a credit limit, and an active account portion of the banking account wherein, transactions are limited to the active account portion through valid requests, wherein each transaction includes, presenting screen options to the user including: Card Balance Inquiry, Credit Line Limit Inquiry, Transfer Amount, Transaction History, Account History, and Set Zero Balance; and selecting one of the options through at least one of a touch sense screen and a keypad; (*see figure 15, column 6 lines 1-65*) wherein,

a) for Card Balance Inquiry, displaying a balance in the active account; (*see column 6, lines 33-37*)

c) for Transfer Amount, displaying possible amount choices; (*see column 6, lines 39-65*)

d) for Transaction History, displaying a list of card transaction amounts with corresponding dates and times of execution; (*see column 6, lines 39-65*)

e) for Account History, displaying a list of credit transfers into the active account with corresponding dates and times of execution, (*see column 6, lines 39-65*) and

f) for Set Zero Balance, setting the active account balance to zero and displaying that the active account balance is zero. (*see column 6, lines 39-65 – one can transfer funds which will set the active account balance to zero and display a zero balance*).

Suzuki, not Schrader, teaches validating a user credit card prior to the transaction; (*see claim 1 and claim 3 of Suzuki*)

However, Lee, not Schrader, teaches that for a Credit Line Limit Inquiry, displaying a credit limit and a balance in the active account; (*see page 7, lines 11-17*), and a system for credit card transactions (*see summary of invention*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schrader with Lee and Suzuki. Motivation to modify exists because using an integrated system for a credit card allows for greater customer knowledge on how to manage their own accounts. Also, motivation to modify exists because validating a transaction helps to reduce fraud.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader in view of Lee, in further view of Suzuki, and in further view of Official Notice.

Regarding claim 2:

Official notice is given that when a transfer amount exceeds a credit limit, a notice is provided to a user for insufficient funds, and when funds are available, the user is notified of a transfer of funds.

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Schrader with Official Notice. Motivation to modify exists because a user is made aware of how much monetary value exists in their account.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader in view of Lee, in further view of Suzuki, and in further view of Official Notice, and in further view of Michener (US Pub. No. 2002/0198848).

Regarding claim 3:

Michener, not Schrader, teaches that for the method of claim 2 further comprises the step of verification by the user prior to transfer of an accepted amount. (*see claim 1 of Michener*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Schrader with Michener. Motivation to modify exists because verification prior to transfer helps to reduce fraud.

5. Claims rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader (US Pat. No. 5,903,881) in view of Lee (WO 01/39057), and in further view of Suzuki (US Pub. No. 2002/0130176) in further view of Wu (US Pub. No. 2003/0046231).

Regarding claim 4:

Schrader teaches a method for establishing control over financial transactions, the method comprising the steps of: establishing a transaction supporting banking account, a credit limit, and an active account portion of the banking account wherein, transactions are limited to the active account portion through valid requests, wherein each transaction includes, presenting screen options to the user including: Card Balance Inquiry, Credit Line Limit Inquiry, Transfer Amount, Transaction History, Account History, and Set Zero Balance; and selecting one of the options through at least one of a touch sense screen and a keypad; (*see figure 15, column 6 lines 1-65*) wherein,

a) for Card Balance Inquiry, displaying a balance in the active account; (*see column 6, lines 33-37*)

c) for Transfer Amount, displaying possible amount choices; (*see column 6, lines 39-65*)

- d) for Transaction History, displaying a list of card transaction amounts with corresponding dates and times of execution; *(see column 6, lines 39-65)*
- e) for Account History, displaying a list of credit transfers into the active account with corresponding dates and times of execution, *(see column 6, lines 39-65)* and
- f) for Set Zero Balance, setting the active account balance to zero and displaying that the active account balance is zero. *(see column 6, lines 39-65 – one can transfer funds which will set the active account balance to zero and display a zero balance).*

Wu, not Schrader, teaches the use of audio to provide the above mentioned information to a user. *(see ¶ 23-24)*

Suzuki, not Schrader, teaches validating a user credit card prior to the transaction; *(see claim 1 and claim 3 of Suzuki)*

However, Lee, not Schrader, teaches that for a Credit Line Limit Inquiry, displaying a credit limit and a balance in the active account; *(see page 7, lines 11-17)*, and a system for credit card transactions *(see summary of invention)*.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schrader with Wu, Lee and Suzuki. Motivation to modify exists because using an integrated system for a credit card allows for greater customer knowledge on how to manage their own accounts. Also, motivation to modify exists because validating a transaction helps to reduce fraud. Finally, motivation to modify exists because an audible system helps those with poor eyesight or other health issues to use the financial system.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader

in view of Lee, in further view of Suzuki, in further view of Wu and in further view of Official Notice.

Regarding claim 5:

Official notice is given that when a transfer amount exceeds a credit limit, a notice is provided to a user for insufficient funds, and when funds are available, the user is notified of a transfer of funds.

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Schrader with Official Notice. Motivation to modify exists because a user is made aware of how much monetary value exists in their account.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader in view of Lee, in further view of Suzuki, and in further view of Official Notice, and in further view of Michener (US Pub. No. 2002/0198848).

Regarding claim 6:

Michener, not Schrader, teaches that for the method of claim 2 further comprises the step of verification by the user prior to transfer of an accepted amount. (*see claim 1 of Michener*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Schrader with Michener. Motivation to modify exists because verification prior to transfer helps to reduce fraud.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader in view of Official Notice.

Regarding claim 7:

Official notice is given that insignia's are used to indicate limited use.

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Schrader with Official Notice. Motivation to modify exists because an insignia is an efficient method of showing others a certain status associated with the attachment of the insignia.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes US Pat. No. 2003/0233318, US Pat. No. 2002/0099658, and US Pat. No. 2002/0016763.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Basit whose telephone number is 571 272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/733,433
Art Unit: 3694

Page 9

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